

## REMARKS/ARGUMENTS

Claims 3, 7, 8, 20-22, 28, 52-54, 60 and 75-88 are currently pending in the subject application. Claims 7, 8, 20-22, 28, 52-54 and 60 are allowed. Claims 52-54 are amended as shown on pp. 2-14 of the Reply, solely to correct minor informalities.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

### *Unexamined Claims*

It is noted that the Office Action only comments on claims 3, 7, 8, 20-22, 52-54 and 60. However, the Examiner is respectfully advised that an amendment adding new claims 75-88 was filed on October 27, 2008. Consideration of claims 75-88 is respectfully requested.

### *Rejection of Claim 3 Under 35 U.S.C. §102(e)*

Claim 3 stands rejected under 35 U.S.C. §102(e) as being anticipated by Persson (U.S. 6,144,653).

The rejection is respectfully traversed. Persson does not support the rejection for at least the reason that Persson fails to disclose "the method performed by a mobile station camped on a cell associated with a first base station of the first type, the method for reselection of a second base station of the second type, wherein the first and second air interfaces are distinct such that one is a TDMA air interface and the other is a CDMA air interface," and "responsive to the characteristic, selecting the second base station in place of the first base station," as recited in claim 3.

In support of the rejection, the Office Action cites portions of cols. 45-48 of Persson. However, these portions of Persson merely relate generally to selection by a mobile station of a digital control channel (DCC). Persson is silent regarding distinct TDMA and CDMA air interfaces as required by claim 3. Claim 3 is therefore allowable over Persson. Accordingly, withdrawal of the rejection is respectfully requested.

Application No. 09/409,947  
Amendment dated February 13, 2009  
Reply to Office Action of November 13, 2008

### CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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By: 

Kristine Ekwueme, Reg. No. 56,344

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 658-3663  
Facsimile: (858) 658-2502